

PROBATE NO. 18851

CITATION ON APPLICATION FOR PROBATE OF WRITTEN WILL/ AND CODICIL(S)

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APR 29 ANN: 30
2020

Clerk of the Court
JENNIFER LINDENZWEIG
P.O. BOX 1316
GREENVILLE, TEXAS 75403

Attorney or Person Filing Cause
LAW OFFICES OF
MORGAN/GOTCHER
2610 SOUTH STONEWALL STREET
PO BOX 556
GREENVILLE TX 75403-0556

THE STATE OF TEXAS

TO ALL PERSONS INTERESTED IN THE ESTATE OF **HAROLD MORRIS**
Deceased, No. 18851
Hunt County Court, Texas

On 28th day of April, 2020,

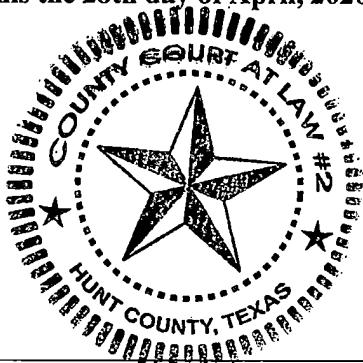
Lloyd Morris filed in the County Court at Law #1 of Hunt County, an application for probate of the last will and testament / and codicil(s) of said **HAROLD MORRIS**, Deceased, and for letters testamentary (the said will accompanying said application / and codicil(s) attached).

Said application may be heard and acted on by said Court at 10:00 o'clock A.M., on the first Monday after the expiration of ten days from date of posting this citation, the same being on this the 11th day of May, 2020 at the County Courthouse in Greenville, Texas.

All persons interested in said estate are hereby cited to appear before said Honorable Court at said above mentioned time and place by filing a written answer contesting such application should they desire to do so.

The officer executing this citation shall post the copy of this citation at the courthouse doors of the county in which this proceeding is pending, or at the place in or near said courthouse where public notices customarily are posted, for not less than 10 days before the return day thereof, exclusive of the date of posting and return the original copy of this citation to the clerk stating in a written return the time and the place he posted such copy.

GIVEN UNDER MY HAND AND SEAL OF SAID COURT, at this office, in Hunt County Texas, on this the 28th day of April, 2020.



JENNIFER LINDENZWEIG
HUNT COUNTY CLERK
GREENVILLE, TEXAS

BY: *Valerie Bradley* Deputy
Melissa Young/Valerie Bradley

SHERIFF'S RETURN

Came to hand on 29 April 2020 at 11 o'clock A.M., and executed on 29 April 2020, by posting a copy of the within citation for ten days, exclusive of the day of posting, before the return day hereof, at the County Courthouse door of Hunt County, Texas, or at the place in or near the said courthouse where public notices customarily are posted, that is, from 29 April, 2020, through 11 May, 2020, inclusive.

RANDY MEEKS, SHERIFF
HUNT COUNTY, TEXAS
BY: *J. MEEKS 471*, Deputy

NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA.

No. 18851

IN THE ESTATE OF	§ IN COUNTY COURT AT LAW
	§
HAROLD MORRIS,	§ NO. 2
	§
DECEASED	§ HUNT COUNTY, TEXAS

APPLICATION TO PROBATE WILL AND
FOR ISSUANCE OF LETTERS TESTAMENTARY

TO THE HONORABLE JUDGE OF SAID COURT:

LLOYD MORRIS ("Applicant"), furnishes the following information to the Court in support of this Application for the probate of the Will of **HAROLD MORRIS** ("Decedent"), and for issuance of Letters Testamentary:

1. Applicant, **LLOYD MORRIS**, is an individual interested in this Estate, being domiciled in and residing in Texas. **LLOYD MORRIS**' address for service of citation P.O. Box 4624, Lago Vista, Texas 78645. The last three digits of the social security number of **LLOYD MORRIS** are 189. The last three digits of the driver's license number of **LLOYD MORRIS** are 112.

2. Decedent died on December 15, 2019, at Greenville, Hunt County, Texas, at the age of 93 years. Decedent's domicile at the time of his death was Greenville, Hunt County, Texas. The last three digits of the social security number of Decedent are 861. The last three digits of the driver's license number of Decedent are 015.

3. This Court has jurisdiction and venue is proper because Decedent was domiciled in Texas and had a fixed place of residence in this County on the date of his death.

4. Decedent owned property described generally as cash, personal effects and household goods of a probable value in excess of \$10,000.00.

5. Decedent left a valid Will dated September 1, 2005, which was never revoked. A true and correct copy of the Will is attached. The Will will be delivered to the County Clerk pursuant to the Texas Rules of Civil Procedure.

6. A necessity exists for the administration of the Estate.

7. After the date of the Will, no child was born to or adopted by Decedent.

APPLICATION TO PROBATE WILL AND
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8. No marriage of the Decedent was ever dissolved after the will was made.
9. Decedent's Will named **LLOYD MORRIS** to serve as Independent Executor to act independently. **LLOYD MORRIS** resides in Lago Vista, Travis County, Texas. **LLOYD MORRIS** is not disqualified by law from serving as such or from accepting Letters Testamentary, and is entitled to such letters.
10. No state, governmental agency of the state, nor charitable organization is named by the Will as a devisee.
11. The Will was made self-proved in the manner prescribed by law and the subscribing witnesses to the Will are Elizabeth Castillo, and Kasey Norman.

WHEREFORE, Applicant prays that citation issue as required by law to all persons interested in this Estate; that the Will be admitted to probate; that Letters Testamentary be issued to **LLOYD MORRIS**; and that all other Orders be entered as the Court may deem proper.

Respectfully submitted,

/s/ Holly H. Gotcher

Holly H. Gotcher, P.C.
Attorney for Applicant
State Bar No.: 08738100
P. O. Box 556
2610 Stonewall Street
Greenville, Texas 75403-0556
Telephone: (903) 455-3183
Facsimile: (903) 454-4654
E-mail: holly@morgan-gotcher.com

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A. If my wife, Evelyn Acker Morris, survives me, I give devise and bequeath all the property described in the City of Greenville, Hunt County, State of Texas, 89, of the FINNEY ESTATE in and to the property described as LOT 2, BLOCK 89, of the FINNEY SUBDIVISION, in the City of Greenville, Hunt County, State of Texas, and being more commonly known as 3101 Rocketers Street, Greenville, Texas 75401. Upon the death of my wife, Evelyn Acker Morris, the property described hereinabove shall pass to my children as described in Section B, hereinbelow.

DISPOSITION OF ESTATE

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PAYMENT OF EXPENSES

III

My wife's name is Evelyn Agner Morris. All references in this will to my "spouse" or to my wife are to her. At the time of the execution of this will, I have two children, namely, Lloyd Morris and Pam Robertson.

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1. Herald Motto's of the County of Hunt and the State of Texas, being in good health, or sound and dispossessing mind and memory do make and declare this instrument to be my Last Will and Testament, hereby expressly revoking all former Wills and Codicils made by me at any time heretofore, and intendings hereby to dispose of all the property of whatever kind and wherever situated which I own, or in which I have any kind of interest at the time of my death.

HAROLD MORRIS

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LAST WILL AND TESTAMENT

B. I give, devise and bequeath all of my estate of whatsoever kind and wheresoever situated to my children, Lloyd Morris and Pam Robertson, in equal shares; provided, however, that if a child of mine shall not then survive me, but should leave issue then surviving me, such then surviving issue shall take, per stirpes, the share that such deceased child would have taken by surviving me, or if none is then living, then said share shall be distributed to my then living child or his or her issue, per stirpes, or if none of my descendants is then living, then said share shall be distributed as provided in the paragraph below.

C. Any other property of mine that has not been disposed of under any other provision of this Will shall go and be distributed to my heirs-at-law. Their identity and respective shares shall be determined in all respects as if my death had occurred immediately following the happening of the event requiring such distribution, and according to the laws of Texas then in force governing the distribution of the estate of an intestate.

IV.
DEFINITION OF SURVIVAL

Any legatee, devisee, donee, person or beneficiary with respect to all or any part of my estate who shall not survive until ninety (90) days after the date of my death, or until this Will is probated, whichever occurs earlier, shall be deemed to have predeceased me, and shall be treated for all purposes herein as though such person had predeceased me.

V.
APPOINTMENT OF EXECUTOR

A. I hereby nominate, constitute and appoint my son, Lloyd Morris, as Independent Executor of my estate. In the event that my son, Lloyd Morris, shall predecease me or fail or refuse to qualify, or die, resign, or become unable to serve during the administration of my estate, I hereby nominate, constitute and appoint my daughter, Pam Robertson, as Independent Executrix, and all the powers, duties and responsibilities granted and imposed upon Lloyd Morris shall devolve upon and be exercised by Pam Robertson.

B. If any individual Independent Executor or Executrix becomes unable to discharge his or her duties under this Will because of accident, physical or mental illness or deterioration, or other cause and does not resign, then upon certification in a form sufficient for the recording of a deed in the State of Texas by two medical doctors (neither of whom is a beneficiary under this Will) affirming that each has examined the Independent Executor or Executrix and that each has concluded, based on such examination, that the Independent Executor or Executrix is unable to discharge his or her duties under this Will, the Independent Executor or Executrix shall cease to serve, as if he or she had resigned, effective the date of the certification.


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No interest of any beneficiary in the corpus of income of my estate shall be subject to assignment, alienation, pledge, attachment or claims of creditors of such beneficiary and may not otherwise be alienated or enumerated by such beneficiary, except as may be otherwise expressly provided herein.

SPENDTHRIFT PROVISION

VI.

E. The independent Executor shall serve without compensation.

D. My independent Executor or any successor named above, shall have full power to borrow money at any time and in any amount from time to time for the benefit of my estate, from any person, firm, or corporation or from any bank or trust company and to secure the loan by pledge, deed of trust, mortgage or other encumbrances on the assets of the estate and from time to time to renew such loans and give additional security.

C. My independent Executor or any successor named above, shall have full power and authority to deal with any person, firm, or corporation.

B. My independent Executor or any successor named above, shall have full power and authority to compromise, settle and adjust any and all debts, claims and taxes which may be due from or owing by my estate.

A. I hereby grant unto my independent Executor or any successor named above, full power and authority over any and all of my estate and they are hereby authorized to sell, manage, and dispose of the same or any part thereof, and in connection with any such sale or transaction, make, execute and deliver proper deeds, assignments and other written instruments and to do any and all things proper or necessary in the orderly handling and management of my estate.

The estate, created or arising by virtue of my detail and this instrument, my Last Will and Testament, shall be governed by and administered in accordance with the following provisions:

POWERS OF EXECUTOR

VI.

C. This my will and desire and I hereby direct that in the administration of my estate, my independent Executor or any successor shall not be required to furnish any bond of any kind and that no action shall be had in any court in the administration of my estate other than the probating of this instrument shall be governed by and the filing of any inventory, appraisal and list of claims of my Last Will and Testament, and the filing of any inventory, appraisal and list of claims of my estate that may be required.

**VIII.
IN TERRORM CLAUSE**

If any beneficiary under this Will shall in any manner contest or attack this Will or any of its provisions, any share or interest in my estate given to such contesting beneficiary under this Will is hereby revoked and shall be disposed of as part of the residue of my estate.

WILLS NOT CONTRACTUAL

My spouse and I are executing Wills at approximately the same time in which each of us may be a primary beneficiary of the Will of the other. These Wills are not executed because of any agreement between my spouse and myself. Either Will may be revoked at any time in the sole discretion of the maker thereof.

X.

DEFINITIONS AND INTERPRETATIONS

For purposes of interpretation of this, my Last Will and Testament, and the administration of the estate established herein, the following provisions shall apply:

- A. The words "child, children, descendants, issue," and similar terms shall be deemed only to include children born to, or adopted (on or before eighteen years of age) by me or my descendants.
- B. When a distribution is directed to be made to any person's descendants "per stirpes," the division into stirpes shall begin at the generation nearest to such person that has a living member.
- C. The use of the masculine, feminine or neuter genders shall be interpreted to include the other genders, and the use of either the singular or the plural number shall be interpreted to include the other number, unless such an interpretation in a particular case is inconsistent with the general tenor of this instrument. Any references herein relating to my Independent Executor shall include his successors regardless of the gender of the successors.
- D. This Will shall be probated in accordance with the laws of Texas, and should any provisions of the same be held unenforceable or invalid for any reason, the unenforceability or invalidity of said provision shall not affect the enforceability or validity of any other part of this Will.

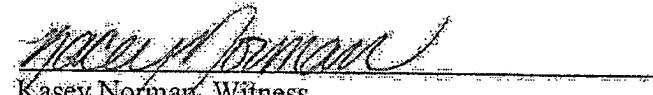
IN WITNESS WHEREOF, I, Harold Morris, hereby sign my name to this, my Last Will, on this 1st day of September 2005, at Crossroads, Texas.


Harold Morris, Testator

ATTESTATION

The foregoing instrument was signed in our presence by Harold Morris and declared by him to be his last Will. We, at the request and in the presence of Harold Morris and in the presence of each other, have subscribed our names below as witnesses on this 1st day of September 2005.


Elizabeth Castillo, Witness
9900 HWY 380
Crossroads, Texas 76227


Kasey Norman, Witness
9900 HWY 380
Crossroads, Texas 76227


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SELF-PROVING AFFIDAVIT

STATE OF TEXAS

COUNTY OF DENTON

BEFORE ME, the undersigned authority, on this day personally appeared Harold Morris, Elizabeth Castillo and Kasey Norman, known to me to be the Testator and the witnesses, respectively, whose names are subscribed to the annexed or foregoing instrument in their respective capacities, and all of said persons being by me duly sworn, the said Harold Morris, Testator, declared to me and to the said witnesses in my presence that said instrument is his Last Will and Testament and that he had willingly made and executed it as his free act and deed; and the said witnesses, each on their oath stated to me, in the presence and hearing of the said Testator, that the said Testator had declared to them that said instrument is his Last Will and Testament, and that he executed same as such and wanted each of them to sign it as a witness; and upon their oaths each witness stated further that they did sign the same as witnesses in the presence of the said Testator and at his request; that said Testator was at that time eighteen years of age or over (or being under such age, was or had been lawfully married, or was then a member of the armed forces of the United States or of an auxiliary thereof or of the Maritime Service) and was of sound mind; and that each of said witnesses was then at least fourteen years of age.


Harold Morris, Testator


Elizabeth Castillo, Witness


Kasey Norman, Witness

SUBSCRIBED AND SWEORN TO BEFORE ME by the said Harold Morris, Testator and by the said Elizabeth Castillo and Kasey Norman, Witnesses, this 1st day of September, 2005.




NOTARY PUBLIC STATE OF TEXAS